

03/01/02  
jc796 U.S. PTO

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As modified by Blakely, Sokoloff, Taylor & Zafman LLP

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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jc828 U.S. PTO  
10/08/975  
03/01/02

### UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 04688P064

(maximum 12 characters)

First Named Inventor Yakov Kamen

Title: MULTIMEDIA INTERACTIVE DEVICE FUNCTION SELECTION BASED UPON BUTTON DEPRESSION DURATION

Express Mail Label No. EL371010145US

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, D. C. 20231

### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. X Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. X Applicant Claims Small Entity Status. (37 CFR 1.27)
3. X Specification (Total Pages 20)  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. X Drawings(s) (35 USC 113) (Total Sheets 6)
5. X Oath or Declaration (Total Pages 5)
  - a. X Newly Executed (Original or Copy)
  - b.      Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 18 completed)
    - i.      DELETIONS OF INVENTOR(S) Signed statement attached deleting  
inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)  
and 1.33(b).
  - c.      Unsigned.
6.      Application Data Sheet. (37 CFR 1.76)
7.      CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8.      Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.      Computer Readable Form (CRF)
  - b.      Specification Sequence Listing on:
    - i.      CD-ROM or CD-R (2 copies), or
    - ii.      paper
  - c.      Statement verifying identity of above copies

02/15/02

- 1 -

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# ACCOMPANYING APPLICATION PARTS

9. ☒ **X** **Assignment Papers (cover sheet & documents(s))**
10. ☐ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- ☒ **X** b. Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ **X** a. Information Disclosure Statement (IDS)/PTO-1449
- ☒ **X** b. Copies of IDS Citations
13. ☐ **Preliminary Amendment**
14. ☒ **X** **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
- 17A. ☒ **X** Other: Certificate of Express Mail with copy of postcard showing contents of package.

17B. ☒ **X** Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

18A. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet Under 37 C.F.R. 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)  
 Of Prior Application No.: ☐ Examiner ☐ Group Art Unit  
 (which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. ☐)  
 which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. ☐ (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.  
 For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that ☐ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. ☐ Frame No. ☐ (or a copy of which is attached).

19. Correspondence Address  
☐ Customer Number or Bar Code Label ☐  
 or (Insert Customer No. or Attach Bar Code Label)

here)

☒ **X** Correspondence Address Below

NAME **Tom Van Zandt**

**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP**

ADDRESS **12400 Wilshire Boulevard**

**Seventh Floor**

CITY **Los Angeles**

STATE **California**

ZIP CODE **90025-1026**

Country **U.S.A.**

TELEPHONE **(408) 720-8300**

FAX **(408) 720-8383**

Name (PRINT/TYPE): **Tom Van Zandt**

Registration No.: **43,219**

Signature: *Tom Van Zandt*

Date: **2/1/02**

**FEE TRANSMITTAL FOR FY 2002**

|                                     |               |
|-------------------------------------|---------------|
| <b>TOTAL AMOUNT OF PAYMENT (\$)</b> | <b>572.00</b> |
|-------------------------------------|---------------|

**Complete if Known:**

**Application No.** Not Yet Assigned

**Filing Date** Herewith

**First Named Inventor** Yakov Kamen

Group Art Unit Not Yet Assigned

Examiner Name Not Yet Assigned

Attorney Docket No. 04688P064

**METHOD OF PAYMENT** (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

**Deposit Account Number** 02-2666

**Deposit Account Name**

- [ X ] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17**

- [ X ] Applicant claims small entity status. See 37 CFR 1.27**

2.   X   Payment Enclosed:   X   Check  
           Money Order  
           Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| <u>Large Entity</u> |             | <u>Small Entity</u> |             |                                    |                 |
|---------------------|-------------|---------------------|-------------|------------------------------------|-----------------|
| <u>Fee</u>          | <u>Fee</u>  | <u>Fee</u>          | <u>Fee</u>  |                                    |                 |
| <u>Code</u>         | <u>(\$)</u> | <u>Code</u>         | <u>(\$)</u> | <u>Fee Description</u>             | <u>Fee Paid</u> |
| 101                 | 740         | 201                 | 370         | Utility application filing fee     | 370.00          |
| 106                 | 330         | 206                 | 165         | Design application filing fee      |                 |
| 107                 | 510         | 207                 | 255         | Plant filing fee                   |                 |
| 108                 | 740         | 208                 | 370         | Reissue filing fee                 |                 |
| 114                 | 160         | 214                 | 80          | Provisional application filing fee |                 |

**SUBTOTAL (1)    \$ 370.00**

## 2. EXTRA CLAIM FEES

| 2. <u>EXTRA CLAIM FEES</u> |           |                     | <u>Fee from below</u> |                | <u>Fee Paid</u>        |
|----------------------------|-----------|---------------------|-----------------------|----------------|------------------------|
|                            |           | <u>Extra Claims</u> |                       |                |                        |
| <b>Total Claims</b>        | <u>24</u> | <b>- 20** =</b>     | <u>4</u>              | X <u>9.00</u>  | <b>=</b> <u>36.00</u>  |
| <b>Independent Claims</b>  | <u>6</u>  | <b>- 3** =</b>      | <u>3</u>              | X <u>42.00</u> | <b>=</b> <u>126.00</u> |
| <b>Multiple Dependent</b>  |           |                     |                       |                | <b>=</b>               |

**\*\*Or number previously paid, if greater; For Reissues, see below.**

| <b>Large Entity</b> |             | <b>Small Entity</b> |             |   |
|---------------------|-------------|---------------------|-------------|---|
| <b>Fee</b>          | <b>Fee</b>  | <b>Fee</b>          | <b>Fee</b>  |   |
| <b>Code</b>         | <b>(\$)</b> | <b>Code</b>         | <b>(\$)</b> | <b><u>Fee Description</u></b>                             |
| 103                 | 18          | 203                 | 9           | Claims in excess of 20                                    |
| 102                 | 84          | 202                 | 42          | Independent claims in excess of 3                         |
| 104                 | 280         | 204                 | 140         | Multiple dependent claim, if not paid                     |
| 109                 | 84          | 209                 | 42          | **Reissue independent claims over original patent         |
| 110                 | 18          | 210                 | 9           | **Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2) \$ 162.00**

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| <u>Large Entity</u> |             | <u>Small Entity</u> |             | <u>Fee Description</u>  | <u>Fee Paid</u> |
|---------------------|-------------|---------------------|-------------|---|-----------------|
| <u>Fee</u>          | <u>Fee</u>  | <u>Fee</u>          | <u>Fee</u>  |   |                 |
| <u>Code</u>         | <u>(\$)</u> | <u>Code</u>         | <u>(\$)</u> |   |                 |
| 105                 | 130         | 205                 | 65          | Surcharge - late filing fee or oath   | _____           |
| 127                 | 50          | 227                 | 25          | Surcharge - late provisional filing fee or cover sheet                        | _____           |
| 139                 | 130         | 139                 | 130         | Non-English specification   | _____           |
| 147                 | 2,520       | 147                 | 2,520       | For filing a request for ex parte reexamination                               | _____           |
| 099                 | 8,800       | 099                 | 8,800       | Request for inter parties reexamination                                       | _____           |
| 112                 | 920*        | 112                 | 920*        | Requesting publication of SIR prior to Examiner action                        | _____           |
| 113                 | 1,840*      | 113                 | 1,840*      | Requesting publication of SIR after Examiner action                           | _____           |
| 115                 | 110         | 215                 | 55          | Extension for reply within first month  | _____           |
| 116                 | 400         | 216                 | 200         | Extension for reply within second month                                       | _____           |
| 117                 | 920         | 217                 | 460         | Extension for reply within third month  | _____           |
| 118                 | 1,440       | 218                 | 720         | Extension for reply within fourth month                                       | _____           |
| 128                 | 1,960       | 228                 | 980         | Extension for reply within fifth month  | _____           |
| 119                 | 320         | 219                 | 160         | Notice of Appeal  | _____           |
| 120                 | 320         | 220                 | 160         | Filing a brief in support of an appeal  | _____           |
| 121                 | 280         | 221                 | 140         | Request for oral hearing  | _____           |
| 138                 | 1,510       | 138                 | 1,510       | Petition to institute a public use proceeding                                 | _____           |
| 140                 | 110         | 240                 | 55          | Petition to revive - unavoidable  | _____           |
| 141                 | 1,280       | 241                 | 640         | Petition to revive - unintentional  | _____           |
| 142                 | 1,280       | 242                 | 640         | Utility issue fee (or reissue)  | _____           |
| 143                 | 460         | 243                 | 230         | Design issue fee  | _____           |
| 144                 | 620         | 244                 | 310         | Plant issue fee   | _____           |
| 122                 | 130         | 122                 | 130         | Petitions to the Commissioner   | _____           |
| 123                 | 50          | 123                 | 50          | Processing fee under 37 CFR 1.17(q)   | _____           |
| 126                 | 180         | 126                 | 180         | Submission of Information Disclosure Stmt                                     | _____           |
| 581                 | 40          | 581                 | 40          | Recording each patent assignment per<br>property (times number of properties) | _____           |
| 146                 | 740         | 246                 | 370         | For filing a submission after final rejection<br>(see 37 CFR 1.129(a))        | 40.00           |
| 148                 | 110         | 248                 | 55          | Statutory Disclaimer  | _____           |
| 149                 | 740         | 249                 | 370         | For each additional invention to be examined<br>(see 37 CFR 1.129(b))         | _____           |
| 179                 | 740         | 279                 | 370         | Request for Continued Examination (RCE)                                       | _____           |
| 169                 | 900         | 169                 | 900         | Request for expedited examination of a design<br>application                  | _____           |
| 195                 | 300         | 195                 | 300         | Publication fee for early, voluntary, or normal pub.                          | _____           |
| 196                 | 300         | 196                 | 300         | Publication fee for republication   | _____           |
| 194                 | 130         | 194                 | 130         | Request for voluntary publication or republication                            | _____           |
| 098                 | 130         | 098                 | 130         | Processing fee under 37 CFR 1.17(i) (except provisionals)                     | _____           |
| 091                 | 1,280       | 091                 | 1,280       | Acceptance of unintentionally delayed claim for priority                      | _____           |

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 40.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Tom Van ZandtSignature:  Date: 3/1/02Reg. Number: 43,219 Telephone Number: (408) 720-8300

10087975-030102

"Express Mail" mailing label number: EL371010145US

Date of Deposit: March 1, 2002

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Leah Resendez

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

(Date signed)

Serial/Patent No.: Not Yet Assigned Filing/Issue Date: Herewith  
Client: iSurfTV Corporation  
Title: MULTIMEDIA INTERACTIVE DEVICE FUNCTION SELECTION BASED UPON BUTTON DEPRESSION DURATION  
BSTZ File No.: 04688P064 Atty/Secty Initials: JPW/TAV/lr  
Date Mailed: March 1, 2002 Docket Due Date: \*\*\*

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

|  |  |  |
|--|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.)  | <input checked="" type="checkbox"/> Express Mail No. <u>EL371010145US</u>                        | <input checked="" type="checkbox"/> Check No. <u>48516</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)                                    | <input type="checkbox"/> _____ Month(s) Extension of Time  | Amt. <u>\$532.00</u>                                       |
| <input checked="" type="checkbox"/> Application - Utility ( <u>20</u> pgs., with cover and abstract) | <input checked="" type="checkbox"/> Information Disclosure Statement & PTO 1449 ( <u>4</u> pgs.) | <input checked="" type="checkbox"/> Check No. <u>48517</u> |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)                         | <input type="checkbox"/> Issue Fee Transmittal   | Amt. <u>\$40.00</u>  |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)                           | <input type="checkbox"/> Notice of Appeal  |  |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)                                  | <input type="checkbox"/> Petition for Extension of Time  |  |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)                      | <input type="checkbox"/> Petition for _____  |  |
| <input type="checkbox"/> Application - Design (____ pgs.)  | <input checked="" type="checkbox"/> Postcard   |  |
| <input type="checkbox"/> Application - PCT (____ pgs.)   | <input type="checkbox"/> Power of Attorney (____ pgs.)   |  |
| <input type="checkbox"/> Application - Provisional (____ pgs.)                                       | <input type="checkbox"/> Preliminary Amendment (____ pgs.)                                       |  |
| <input checked="" type="checkbox"/> Assignment and Cover Sheet                                       | <input type="checkbox"/> Reply Brief (____ pgs.)   |  |
| <input checked="" type="checkbox"/> Certificate of Mailing   | <input type="checkbox"/> Response to Notice of Missing Parts                                     |  |
| <input checked="" type="checkbox"/> Declaration & POA ( <u>5</u> pgs.) (executed)                    | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business             |  |
| <input type="checkbox"/> Disclosure Docs & Cg & Copy of Invention Signed Letter (____ pgs.)          | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate                             |  |
| <input checked="" type="checkbox"/> Drawings: <u>6</u> # of sheets includes <u>6</u> figures         | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate                                |  |

☒ Other: Certificate of Express Mail with copy of postcard showing contents of package and copies of cited references.